



Docket No. 212/291

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

Mollenauer, et al.

Serial No.: 09/724,325

Filed: November 28, 2000

For: Resuscitation Device

Art Unit: 3764

Examiner: DeMille, D.

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DECLARATION UNDER 37 CFR 1.132

I, Theodore D. Fay III, hereby declare:

1. I am a patent attorney representing Revivant Corporation in this case. I am the father of Alexandra Marie Fay (Alexandra), who is approximately 7 months old. I am one of Alexandra's primary caregivers. I am aware of Alexandra's physical characteristics. I am aware of my physical characteristics.

2. Alexandra has a thoracic circumference of approximately 21 inches as measured around the sternum. The depth of Alexandra's thorax is approximately 4 inches. Alexandra is approximately 28 inches tall and weighs approximately 18 pounds. Alexandra is in the 85th percentile of weight and 95th percentile in length for infants of her age.

3. I have a thoracic circumference of approximately 46 inches. The depth of my thorax is approximately 11.5 inches.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Date: June 7, 2004

By: Theodore D. Fay III
Theodore D. Fay III, Esq.